

Notice of Allowability

Application No.

09/658,238

Applicant(s)

ZURAWSKI, JOHN C.

Examiner

David E. England

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2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 04/10/2007.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☒ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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DETAILED ACTION

Reasons for Allowance

1. The following is an examiner's statement of reasons for allowance: the closest prior art of record (Coile (6654795), Hasegawa et al. (6333752), Nguyen et al. (6202070) and Anabuki et al. (6441913)) does not teach nor suggest in detail, "providing a set of predetermined function definitions which are different, at least one of said predetermined function definitions defining a function for manipulating image data; storing a project definition that is operable when executed to process said image data and includes: a plurality of function portions which each correspond to one of said function definitions in said set, and which each define at least one input port and at least one output port that are functionally related according to the corresponding function definition; a further portion which includes a source portion identifying a data source and defining an output port through which said image data from the data source can be produced, and which includes a destination portion identifying a data destination and defining an input port through which said image data can be supplied to the data destination; and binding information which includes binding portions that each associate a respective said input port with one of said output ports; displaying a project window that includes a graphical representation of said project definition; allowing a user to modify said project definition by interacting with said graphical representation using a pointing tool; and automatically initiating execution of said project definition in response to a change to said image

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data in said data source;

wherein said execution of said project definition operates at least in part to manipulate a graphical aspect of said image data”, as taught by the Applicant (see Arguments dated 10/17/2006, pages 15 – 27; Specification as of 09/08/2000, pages 50 – 74; and Drawings dated 09/08/2000, Figures 1 – 6, 8, 9A, 9B, 14 and 15 of Applicant’s enabling portions of the specification and drawings).

2. In general Coile provides "a system and method supporting efficient distribution of file access requests across one or more storage device systems." Coile, Abstract. The system includes a gateway system, indexing systems, and storage device systems. Id. After receiving a file access request, the gateway system forwards the request to a selected indexing system, which determines the locations at which the requested file is stored among the storage device systems. Id.' The indexing system selects one of these locations and forwards the request to the storage device system corresponding to that location. Id. The storage device system responds to the request originator by sending the requested file. Id.

3. Hasegawa generally teaches an image processing apparatus that displays, edits, and processes an image. Hasegawa, Abstract; id. at col. 1, 11. 8-12. A user may select an image and adjust, for example, brightness/contrast, color balance, RGB correction, and hue/chroma. See id. at Figures 5-9. The image processing apparatus permits the user to view the effects of different combinations of parameters on a number of "peripheral" images related to a reference image. See id, col. 2, 1.62 - col. 3, 1. 8 & Figure 9.

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4. Generally, Nguyen "discloses a system of software distribution in computer manufacturing which manages and distributes software from release by a software engineering group to installation at a remote manufacturing site or testing facility." Nguyen, Abstract. Nguyen's system, among other aspects, eliminates duplicate distribution of software which took place in previous systems. Id. at col. 4, 11.34-40.
5. Finally, Anabuki generally teaches "an image processing apparatus that receives input image data in the form of separated data, combines those data, and outputs the combined one." Anabuki, col. 1, 11. 5-9. The apparatus receives the input image data "in the form of at least three separated data[:] a first piece of image data, a second piece of image data, and selection data to selectively specify the first piece or the second piece of image data." Id. at col. 2, 11. 22-27. After subjecting the three pieces to various conversion processes, the apparatus reproduces the original image. id. at col. 2, 11. 12-17.
6. The dependent claims further limit the independent claims and are considered allowable on the same basis as the independent claim as well as for the further limitations set forth. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
7. Claims 1 – 17 are allowed.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. England whose telephone number is 571-272-3912. The examiner can normally be reached on Mon-Thur, 7:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

David E. England
Examiner
Art Unit 2143

DE



DAVID WILEY
SUPERVISOR
PATENT EXAMINER
ELECTRONIC BUSINESS CENTER 2100